

## **REMARKS**

Applicant is in receipt of the Office Action mailed August 3, 2004. Claims 11-67 remain pending in the present application. Reconsideration is respectfully requested in light of the following remarks.

### **Double Patenting Rejection:**

Claim 11-25, 34-47 and 62-67 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 17 of co-pending Application No. 09/714,050. A terminal disclaimer is submitted herewith to obviate the obviousness-type double patenting rejection. Thus, Applicant asserts the application is in condition for allowance.

## CONCLUSION

Applicant submits the application is in condition for allowance, and notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicant hereby petitions for such extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-60100/RCK.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☒ Terminal Disclaimer
- ☐ Fee Authorization Form authorizing a deposit account debit in the amount of \$\_\_\_\_\_ for fees (\_\_\_\_\_).
- ☐ Other:

Respectfully submitted,



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